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September 28, 2015

Honorable Alison J. Nathan
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square, Room 906
New York, New York 10007

Re: *Braintree Laboratories, Inc. v. Breckenridge Pharmaceutical, Inc.*
Case No.: 12-cv-6851-AJN

Dear Judge Nathan:

I represent Defendant Breckenridge Pharmaceutical, Inc. ("Breckenridge") in this action. In accordance with the Order of this Court dated June 23, 2015 (D.I. 80), Breckenridge filed a Motion for Summary Judgment of Noninfringement on July 6, 2015 (D.I. 84-87). The motion was fully briefed as of July 27, 2015. As required by Your Honor's Individual Rule 3.H., Breckenridge respectfully submits this letter to alert the Court that it has been sixty days since its motion for summary judgment was fully briefed and the Court has not yet scheduled argument on, or decided, the motion. As stated in Breckenridge's letter to the Court dated July 6, 2015 (D.I. 88), Breckenridge requests oral argument on the motion.

We appreciate the Court's consideration.

Respectfully submitted,



Steven Lieberman

cc: All counsel of record

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CERTIFICATE OF SERVICE

I hereby certify that on September 30, 2015, a true and correct copy of the foregoing **LETTER FROM STEVEN LIEBERMAN TO JUDGE NATHAN** was filed through the Court's Electronic Filing System (ECF), and was served electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Erik van Leeuwen

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